

ORIGINAL

FILED

April 8 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA
Supreme Court Cause No. _____

Bryan Charles Tipp
Attorney for Appellant
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FILED

APR 08 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

PENNY ANN NICHOLS,

Appellant,

v.

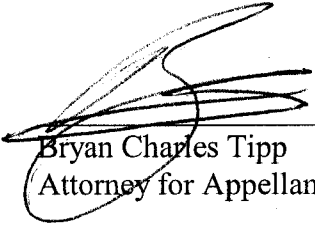
STIPULATION

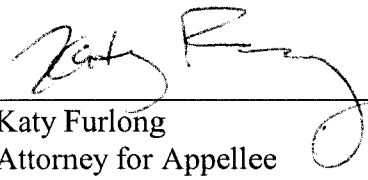
THE DEPARTMENT OF JUSTICE,
DRIVER'S LICENSE BUREAU

Appellee.

COMES NOW the parties, pursuant to M. R. App. P. 8(3), and hereby stipulate that in lieu of filing a transcript the only evidence relied upon by the District Court in making its Opinion and Order was a Stipulation of facts filed by the parties on July 2, 2009, which is part of the official record (#7) to be transmitted by the District Court. Therefore no transcript is necessary for this Appeal.

Dated this 7th day of April, 2010.


Bryan Charles Tipp
Attorney for Appellant


Katy Furlong
Attorney for Appellee

CERTIFICATE OF SERVICE

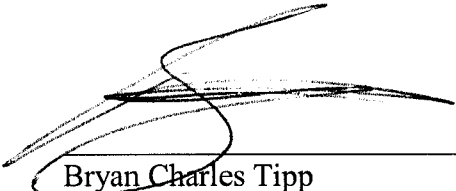
I hereby certify that I have filed a true and accurate copy of the foregoing STIPULATION with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing STIPULATION upon the Clerk of the District Court, each attorney of record, and each party not represented by an attorney in the above-referenced District Court action, as follows:

Missoula County Clerk of District Court
200 W. Broadway
Missoula, MT 59802

Katy Furlong / Suzy Boylan
Missoula County Attorney's Office
200 W. Broadway
Missoula, MT 59802

Montana Attorney General
P.O. Box 201401
Helena, MT 59620-1401

Dated this 7th day of April, 2010.



Bryan Charles Tipp
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Attorney for Appellant